gradually sold on 8/4/2008 Filed 08/05/2008 Page 1 of 12 FILED 1 08 AUG -5 PM 12: 32 2 ELERK. U.S. DISTRICT CRUST SECTION OF CALLERY 3 4 DEPUTY 5 6 UNITED STATES DISTRICT COURT 7 SOUTHERN DISTRICT OF CALIFORNIA 8 July 2007 Grand Jury 9 Criminal Case No. 08CR1895-MMM UNITED STATES OF AMERICA, 10 INDICIMENT Plaintiff, 11 (Superseding) 12 Title 18, U.S.C., Sec. 2332a -Conspiracy to Use a Weapon of Mass 13 RACHELLE LYNETTE CARLOCK (1), Destruction; Title 18, U.S.C., ELLA LOUISE SANDERS (2), Sec. 2332a - Use of a Weapon of ERIC REGINALD ROBINSON (3), Mass Destruction; Title 18, U.S.C., Sec. 371 - Conspiracy to Defendants. 15 Maliciously Damage Buildings or Real Property, by Means of an 16 Explosive, and Manufacture and Possess Firearms; Title 18, 17 U.S.C., Sec. 844 - Malicious Damage to Buildings or Real 18 Property, by Means of an Explosive; Title 18, U.S.C., 19 Sec. 924(c) - Possession of Destructive Device in Relation to 20 a Crime of Violence; Title 18, U.S.C., Sec. 844(h) - Use of 21 Explosive to Commit a Felony; Title 18, U.S.C., Sec. 2 - Aiding 22 and Abetting; Title 18, U.S.C., Sec. 842(a)(2) - Use of False 23 Identification to Obtain Explosive Materials; Title 18, U.S.C., 24 Sec. 842(i)(1) - Felon in Possession of Explosive Materials; 25 Title 18, U.S.C., Sec. 1028(a)(7) - Fraud in 26 Connection with Identification Documents 27 28 WPC:nlv:San Diego 8/5/08

The grand jury charges:

1

2

3

13

16

17

18

19

20

21

22

23

24

25

26

27

Count 1

- Beginning on a date unknown to the grand jury, and 4 continuing through May 4, 2008, defendants RACHELLE LYNETTE CARLOCK, 5 ELLA LOUISE SANDERS, and ERIC REGINALD ROBINSON, within the Southern 6 District of California and elsewhere, did knowingly and intentionally 7 conspire to use a weapon of mass destruction, without lawful 8 authority, to wit: pipe bombs, against property used in interstate 9 commerce and in any activity affecting interstate commerce, and 10 property owned, leased and used by the United States and one of its 11 departments; in violation of Title 18, United States Code, 12 Sections 2332a(a)(2)(B) and (3).
- In furtherance of the conspiracy and to effect its objects, 2. 14 the following overt acts, among others, were committed within the 15 Southern District of California and elsewhere:
  - On or about March 26, 2008, in El Cajon, California, a. defendant ELLA LOUISE SANDERS purchased one pound of explosive materials, namely, Hodgdon's Triple Se7en Powder (a smokeless powder).
  - On or about April 7, 2008, in El Cajon, California, b. defendant RACHELLE LYNETTE CARLOCK purchased two pounds of explosive materials, namely, Hodgdon's Triple Se7en Powder (a smokeless powder).
  - In or about April 2008, defendant ELLA LOUISE SANDERS C. stole pipes and end caps from a Home Depot for use in the construction of pipe bombs.

- d. In or about April 2008, defendant ERIC REGINALD ROBINSON drove defendant ELLA LOUISE SANDERS to and from a Home Depot for the purpose of stealing pipes and end caps for use in the construction of pipe bombs.
- e. Between March 1, 2008, and May 4, 2008, defendants

  RACHELLE LYNETTE CARLOCK and ELLA LOUISE SANDERS

  constructed pipe bombs at a residence in Menifee,

  California.
- f. Between March 1, 2008, and May 4, 2008, defendants RACHELLE LYNETTE CARLOCK, ELLA LOUISE SANDERS and ERIC REGINALD ROBINSON tested several pipe bombs by exploding and attempting to explode the devices.
- g. On or about April 25, 2008, defendants RACHELLE LYNETTE CARLOCK and ELLA LOUISE SANDERS constructed two pipe bombs, which included nails as part of their design, which were detonated and attempted to be detonated at the Federal Express Distribution Center, located at 1650 47<sup>th</sup> Street, San Diego, California.
- h. On or about May 1, 2008, in El Cajon, California, defendant RACHELLE LYNETTE CARLOCK, purchased one pound of explosive materials, namely, Hodgdon's Triple Se7en Powder (a smokeless powder).
- i. On or about May 3, 2008, in Menifee, California, defendant RACHELLE LYNETTE CARLOCK constructed three pipe bombs, which had nails as part of their design.

- j. On or about May 4, 2008, in Menifee, California, defendant RACHELLE LYNETTE CARLOCK placed three pipe bombs into a black backpack in order to transport the pipe bombs to San Diego, California.
- k. On or about May 4, 2008, in Menifee, California, defendant ELLA LOUISE SANDERS helped dress defendant RACHELLE LYNETTE CARLOCK in dark clothing and helped tuck defendant RACHELLE LYNETTE CARLOCK's hair under her hat in order to conceal her identity.
- On or about May 4, 2008, defendant ERIC REGINALD ROBINSON accompanied defendant RACHELLE LYNETTE CARLOCK, in a vehicle, from Menifee, California, to San Diego, California.
- m. On or about May 4, 2008, defendant ERIC REGINALD ROBINSON waited in a vehicle, near the Edward J. Schwartz Federal Courthouse in San Diego, California, while defendant RACHELLE LYNETTE CARLOCK planted and detonated three pipe bombs at the Edward J. Schwartz Federal Courthouse.
- n. On or about May 4, 2008, defendant RACHELLE LYNETTE CARLOCK planted and detonated three pipe bombs at the front doors of the Edward J. Schwartz Federal Courthouse in San Diego, California.

- 1 2
- 3 4
- 5
- 6

17

18

23

24

25

26

27

28

On or about May 4, 2008, after defendant RACHELLE LYNETTE CARLOCK had planted and detonated the three pipe bombs, defendant ERIC REGINALD ROBINSON drove defendant RACHELLE LYNETTE CARLOCK from the area near the Edward J. Schwartz Federal Courthouse in San Diego, California, to a residence in Menifee, California.

7 All in violation of Title 18, United States Code, Section 2332a.

### Count 2

On or about May 4, 2008, within the Southern District of 10 California, defendants RACHELLE LYNETTE CARLOCK, ELLA LOUISE SANDERS, 11 and ERIC REGINALD ROBINSON, did knowingly and intentionally use a 12 weapon of mass destruction, without lawful authority, to wit: pipe 13 bombs, against property owned and used by the United States and one of 14 lits departments, to wit: the Edward J. Schwartz Federal Courthouse, 15 located at 940 Front Street, San Diego, California; in violation of Title 18, United States Code, Sections 2332a(a)(3) and 2.

# Count 3

- Beginning on a date unknown to the grand jury, 19 continuing through May 4, 2008, defendants RACHELLE LYNETTE CARLOCK, 20 ELLA LOUISE SANDERS, and ERIC REGINALD ROBINSON, within the Southern 21 District of California and elsewhere, did knowingly and intentionally 22 conspire to:
  - maliciously damage and attempt to damage and destroy, a. by means of an explosive, to wit: pipe bombs, buildings and real property used in interstate commerce and in activity affecting interstate commerce; buildings and real property in whole or in part owned and possessed by, or leased to, the United States, and

1 any department or agency thereof, in violation of 2 Title 18, United States Code, Sections 844(f)(1) and 3 (i); possess firearms, to wit: pipe bombs, made in violation 4 b. of the provisions of Chapter 53 of Title 26, United 5 6 States Code, Section 5822; which is in violation of 7 Title 26, United States Code, Section 5861(c); and 8 make firearms, to wit: pipe bombs, in violation of the C. 9 provisions of Chapter 53 of Title 26, United States 10 Code, Section 5822; which is in violation of Title 26, 11 United States Code, Section 5861(f). The grand jury adopts, realleges, and incorporates herein 12 5. 13 the overt acts in paragraph 2 of this Indictment as if set out fully 14 herein. 15 All in violation of Title 18, United States Code, Section 371. 16 Count 4 On or about May 4, 2008, within the Southern District of 17 6. 18 California, defendants RACHELLE LYNETTE CARLOCK, ELLA LOUISE SANDERS, 19 and ERIC REGINALD ROBINSON, did maliciously damage and attempt to 20 damage or destroy, by means of an explosive, to wit: pipe bombs, a 21 building and real property owned and possessed by, the United States

25 // 26 //

27 //

28 //

22 and one of its departments, to wit: the Edward J. Schwartz Federal

23 Courthouse, located at 940 Front Street, San Diego, California; in

24 | violation of Title 18, United States Code, Sections 844(f)(1) and 2.

On or about May 4, 2008, within the Southern District of 3 California, defendants RACHELLE LYNETTE CARLOCK, ELLA LOUISE SANDERS, and ERIC REGINALD ROBINSON, during and in relation to a crime of violence, as set forth and charged in Counts 1 and 3 above, for which 6 the defendants may be prosecuted in a court of the United States, did 7 knowingly and intentionally use and carry a destructive device, to 8 wit: a pipe bomb; in violation of Title 18, United States Code, 9 Sections 924(c)(1)(A), (B)(ii) and 2.

Count 6

On or about May 4, 2008, within the Southern District of 12 California and elsewhere, defendants RACHELLE LYNETTE CARLOCK, ELLA 13 LOUISE SANDERS, and ERIC REGINALD ROBINSON, during and in relation to 14 a crime of violence, as set forth and charged in Counts 2 and 4 above, 15 for which the defendants may be prosecuted in a court of the United 16 States, did knowingly and intentionally use and carry a destructive 17 device, to wit: a pipe bomb; in violation of Title 18, United States Code, Sections 924(c)(1)(A), (B)(ii) and 2.

Count 7

On or about May 4, 2008, within the Southern District of 9. 21 California and elsewhere, defendants RACHELLE LYNETTE CARLOCK, ELLA 22 LOUISE SANDERS, and ERIC REGINALD ROBINSON did knowingly and intentionally use an explosive, to wit: a pipe bomb, to commit a 24 felony, as set forth and charged in Count 1 above, which may be 25 prosecuted in a court of the United States; in violation of Title 18, 26 United States Code, Sections 844(h)(1) and 2.

27 |

1

2

10

11

19

20

2

9

10

18

19

20

### Count 8

10. On or about May 4, 2008, within the Southern District of California and elsewhere, defendants RACHELLE LYNETTE CARLOCK, ELLA LOUISE SANDERS, and ERIC REGINALD ROBINSON did knowingly and intentionally use an explosive, to wit: a pipe bomb, to commit a felony, as set forth and charged in Count 2 above, which may be prosecuted in a court of the United States; in violation of Title 18, United States Code, Sections 844(h)(1) and 2.

#### Count 9

11. On or about March 26, 2008, within the Southern District of 11 California, defendant ELLA LOUISE SANDERS, who had been convicted in 12 the San Diego Superior Court on or about October 15, 2004, for violation of California Health and Safety Section 11350, a crime 14 punishable by imprisonment for a term exceeding one year, knowingly 15 received and possessed explosive materials, namely, Hodgdon's Triple 16 Se7en Powder (a smokeless powder), which had been shipped and 17 | transported in interstate commerce; in violation of Title 18, United States Code, Sections 842(i) and 844(a).

### Count 10

On or about April 7, 2008, within the Southern District of 21 California, defendant RACHELLE LYNETTE CARLOCK knowingly furnished and 22 exhibited a false, fictitious, and misrepresented identification, to wit, a California Driver's License in the name of "S.M.G.," to a 24 licensed dealer in explosive materials, which identification was 25 intended to deceive, and was likely to deceive, said dealer, for the 26 purpose of obtaining explosive materials pursuant to Chapter 40 of 27 Title 18 of the United States Code; in violation of Title 18, United 28 States Code, Sections 842(a)(2) and 844(a).

13. On or about April 7, 2008, within the Southern District of 3 California, defendant RACHELLE LYNETTE CARLOCK, who had been convicted 4 in the San Diego Superior Court on or about February 5, 1999, of 5 California Penal Code Sections 664 and 211, a crime punishable by |imprisonment for a term exceeding one year, knowingly received and possessed explosive materials, namely, Hodgdon's Triple Se7en Powder (a smokeless powder), which had been shipped and transported in interstate commerce; in violation of Title 18, United States Code, 10 Sections 842(i) and 844 (a).

## Count 12

14. On or about April 7, 2008, within the Southern District of 13 California, defendant RACHELLE LYNETTE CARLOCK, did knowingly possess in and affecting interstate commerce, without lawful 14 and use, 15 authority, a means of identification of another person, to wit, a 16 California Driver's License in the name of "S.M.G.", with the intent to commit unlawful activities that constitute a violation of federal to wit, Use of False Identification to Obtain Explosive 19 Materials, in violation of Title 18, United States 20 Section 842(a)(2), and Felon in possession of Explosive Materials, in 21 violation of Title 18, United States Code, Section 842(i)(l); all 22 in violation of Title 18, United States Code, Sections 1028(a)(7) 23 and (b)(2)(B).

24 1//

1

2

11

12

25 1//

26 || / /

27 l

On or about May 1, 2008, within the Southern District of 3 California, defendant RACHELLE LYNETTE CARLOCK knowingly furnished and 4 exhibited a false, fictitious, and misrepresented identification, to 5 wit, a California Driver's License in the name of "S.M.G.," to a 6 licensed dealer in explosive materials, which identification was 7 intended to deceive, and was likely to deceive, said dealer, for the  $8 \parallel$  purpose of obtaining explosive materials pursuant to Chapter 40 of 9 Title 18 of the United States Code; in violation of Title 18, United 10 ||States Code, Sections 842(a)(2) and 844(a).

#### Count 14

16. On or about May 1, 2008, within the Southern District of 13 California, defendant RACHELLE LYNETTE CARLOCK, who had been convicted 14 in the San Diego Superior Court on or about February 5, 1999, of 15 California Penal Code Sections 664 and 211, a crime punishable by 16 imprisonment for a term exceeding one year, knowingly received and 17 possessed explosive materials, namely, Hodgdon's Triple Se7en Powder 18 (a smokeless powder), which had been shipped and transported in 19 interstate commerce; in violation of Title 18, United States Code, 20 ||Sections 842(i) and 844(a).

21 1//

1

2

11

12

22 1//

23

24 1//

25 | / /

26 //

27 //

17. On or about May 1, 2008, within the Southern District of 3 California, defendant RACHELLE LYNETTE CARLOCK did knowingly possess 4 and use, in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, a California Driver's License in the name of "S.M.G.," with the intent to commit unlawful activities that constitute a violation of federal law, to wit, Use of False Identification to Obtain Explosive 9 Materials, in violation of Title 18, United States 10 Section 842(a)(2) and Felon in possession of Explosive Materials, in 11 |violation of Title 18, United States Code, Section 842(i)(l); all 12 in violation of Title 18, United States Code, Sections 1028(a)(7) 13 and (b)(2)(B).

# Count 16

18. On or about May 13, 2008, within the Southern District of 16 California, defendant RACHELLE LYNETTE CARLOCK knowingly furnished and 17 exhibited a false, fictitious, and misrepresented identification, to 18 wit, a California Driver's License in the name of "S.M.G.," to a 19 ||licensed dealer in explosive materials, which identification was  $20\,\mathrm{min}$  intended to deceive, and was likely to deceive, said dealer, for the 21 purpose of obtaining explosive materials pursuant to Chapter 40 of 22 Title 18 of the United States Code; in violation of Title 18, United 23 States Code, Sections 842(a)(2) and 844(a).

24 1//

1

2

14

25 1//

26 1//

27 //

28 \\//

19. On or about May 13, 2008, within the Southern District of California, defendant RACHELLE LYNETTE CARLOCK did knowingly possess and use, in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit, a California Driver's License in the name of "S.M.G.", with the intent 7 to commit unlawful activities that constitute a violation of federal 8 law, to wit: Use of False Identification to Obtain Explosive Materials, in violation of Title 18, United States Code, 10 ||Section 842(a)(2), and Felon in possession of Explosive Materials, in 11 violation of Title 18, United States Code, Section 842(i)(l); all 12 | in violation of Title 18, United States Code, Sections 1028(a)(7) 13 and (b) (2) (B).

A TRUE BILL:

DATED: August 5, 2008.

15

14

2

16 17

18

19

20

21

22

By:

United States Attorney

KAREN P. HEWITT

Assistant U.S. Attorney

23

24 25

26

27